

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
MAURICE VANDERHOST aka "FRANK" HARRY P. SCHIRG	:	VIOLATIONS: 21 U.S.C. § 846 (Conspiracy to distribute "crack" cocaine - 1 count) 21 U.S.C. § 841(a)(1) (Distribution of "crack" cocaine - 7 counts) 21 U.S.C. § 861(a)(1) (Using a juvenile to distribute "crack" cocaine - 5 counts) 21 U.S.C. § 860(c) (Using a juvenile to distribute "crack" cocaine within 1,000 feet of a school (1 count) 18 U.S.C. § 2 (Aiding and abetting) 21 U.S.C. § 851 (Notice of prior convictions)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From on or about February 14, 2003, to on or about May 15, 2003, in the Eastern District of Pennsylvania, and elsewhere, defendants

MAURICE VANDERHOST and
HARRY P. SCHIRG

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute more than five grams, that is 12.99 grams, of a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled

substance, in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(B), and to knowingly and intentionally sell a mixture or substance containing a detectable amount of cocaine base (“crack”) within 1,000 feet of the real property of a school, in violation of Title 21, United States Code, Section 860(a), and to knowingly and intentionally employ, hire, use, persuade, induce, entice and coerce a person under eighteen years of age to commit these offenses, in violation of Title 21, United States Code, Sections 861(a)(1) and 860(c).

MANNER AND MEANS OF THE CONSPIRACY

It was a part of the conspiracy that:

2. Defendant MAURICE VANDERHOST was the leader and organizer of a narcotics distribution enterprise which trafficked in “crack” cocaine and used juveniles to sell “crack” cocaine in Upper Darby, Pennsylvania.

3. Defendant HARRY P. SCHIRG sold “crack” cocaine and permitted the sale of “crack” cocaine to be made from his residence at 7243 Clifton Road, Upper Darby, Pennsylvania, in exchange for drugs or money.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, the following overt acts, among others, were committed in the Eastern District of Pennsylvania:

1. On or about February 14, 2003, defendant HARRY P. SCHIRG sold “crack” cocaine to a confidential informant (“CI”) at his residence at 7243 Clifton Road, Upper Darby, Pennsylvania

2. On or about February 20, 2003, defendants MAURICE VANDERHOST and HARRY P. SCHIRG sold and caused to be sold “crack” cocaine to a CI at defendant HARRY P. SCHIRG’S residence in Upper Darby, Pennsylvania

3. On or about February 26, 2003, defendants MAURICE VANDERHOST and HARRY P. SCHIRG sold and caused to be sold “crack” cocaine to a CI near Guilford Road and Long Lane in Upper Darby, Pennsylvania

4. On or about February 28, 2003, defendant MAURICE VANDERHOST sold “crack” cocaine to a CI near 69th Street and Marshall Road in Upper Darby, Pennsylvania

5. On or about March 19, 2003, defendant HARRY P. SCHIRG sold “crack” cocaine to a CI at his residence in Upper Darby, Pennsylvania

6. On or about March 25, 2003, defendants MAURICE VANDERHOST and HARRY P. SCHIRG used or caused to be used a person less than 18 years old to sell “crack” cocaine to a CI at defendant HARRY P. SCHIRG’S residence in Upper Darby, Pennsylvania

7. On or about March 27, 2003, defendant MAURICE VANDERHOST used a person less than 18 years old to sell “crack” cocaine to a CI at defendant HARRY P. SCHIRG’s residence in Upper Darby, Pennsylvania.

8. On or about March 27, 2003, defendant MAURICE VANDERHOST used a person less than 18 years old to sell “crack” cocaine to a CI near the 7100 block of Ruskin Lane in Upper Darby, Pennsylvania, less than 1,000 feet from the Stonehurst Elementary School.

9. On or about April 1, 2003, defendant HARRY P. SCHIRG used a person less than 18 years old to sell “crack” cocaine to a CI at his residence in Upper Darby, Pennsylvania.

10. On or about April 4, 2003, defendant HARRY P. SCHIRG used a person less than 18 years old to sell “crack” cocaine to a CI at his residence in Upper Darby, Pennsylvania.

11. On or about April 9, 2003, defendant MAURICE VANDERHOST used or caused to be used a person less than 18 years old to sell “crack” cocaine to a CI at defendant HARRY P. SCHIRG’S residence in Upper Darby, Pennsylvania.

12. On or about May 15, 2003, defendant MAURICE VANDERHOST used a person less than 18 years old to sell “crack” cocaine to a CI near the 7000 block of Aberdeen Road in Upper Darby, Pennsylvania, less than 1,000 feet from Stonehurst Elementary School.

In violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 19, 2003, at Upper Darby, in the Eastern District of Pennsylvania, defendant

HARRY P. SCHIRG

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 25, 2003, at Upper Darby in the Eastern District of
Pennsylvania, defendants

MAURICE VANDERHOST and
HARRY P. SCHIRG

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture or
substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled
substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and
Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES:

On or about March 25, 2003, at Upper Darby, in the Eastern District of
Pennsylvania, defendants

MAURICE VANDERHOST and
HARRY P. SCHIRG

persons at least eighteen years of age, knowingly and intentionally employed, hired, used,
persuaded, induced, enticed, and coerced “EF”, a person under eighteen years of age, to distribute
a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II
controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 861(a)(1).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 27, 2003, at Upper Darby, in the Eastern District of Pennsylvania, defendant

MAURICE VANDERHOST

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES:

On or about March 27, 2003, at Upper Darby, in the Eastern District of
Pennsylvania, defendant

MAURICE VANDERHOST

a person at least eighteen years of age, knowingly and intentionally employed, hired, used,
persuaded, induced, enticed, and coerced "EF", a person under eighteen years of age, to distribute
a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II
controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 861(a)(1).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 27, 2003, at Upper Darby, in the Eastern District of Pennsylvania, defendant

MAURICE VANDERHOST

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 27, 2003, at Upper Darby, in the Eastern District of Pennsylvania, defendant

MAURICE VANDERHOST

a person at least eighteen years of age, knowingly and intentionally employed, hired, used, persuaded, induced, enticed, and coerced “EF”, a person under eighteen years of age, to distribute a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Stonehurst Elementary School, a public elementary school, located at 7051 Ruskin Lane, Upper Darby, in violation of Title 21, United States Code, Sections 841(a)(1) and 861(a).

In violation of Title 21, United States Code, Section 860(c).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 1, 2003, at Upper Darby, in the Eastern District of Pennsylvania, defendant

HARRY P. SCHIRG

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT TEN

THE GRAND JURY FURTHER CHARGES:

On or about April 1, 2003, at Upper Darby, in the Eastern District of
Pennsylvania, defendant

HARRY P. SCHIRG

a person at least eighteen years of age, knowingly and intentionally employed, hired, used,
persuaded, induced, enticed, and coerced “EF”, a person under eighteen years of age, to distribute
a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II
controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 861(a)(1).

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 4, 2003, at Upper Darby, in the Eastern District of Pennsylvania, defendant

HARRY P. SCHIRG

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES:

On or about April 4, 2003, at Upper Darby, in the Eastern District of
Pennsylvania, defendant

HARRY P. SCHIRG

a person at least eighteen years of age, knowingly and intentionally employed, hired, used,
persuaded, induced, enticed, and coerced “EF”, a person under eighteen years of age, to distribute
a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II
controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 861(a)(1).

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 9, 2003, at Upper Darby, in the Eastern District of Pennsylvania, defendant

MAURICE VANDERHOST

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2..

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES:

On or about April 9, 2003, at Upper Darby, in the Eastern District of
Pennsylvania, defendant

MAURICE VANDERHOST

a person at least eighteen years of age, knowingly and intentionally employed, hired, used,
persuaded, induced, enticed, and coerced "EF", a person under eighteen years of age, to distribute
a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II
controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 861(a)(1).

NOTICE OF PRIOR CONVICTIONS

Defendant MAURICE VANDERHOST committed the offenses charged in Counts One, Three, Four, Five, Six, Seven, Eight, Thirteen, and Fourteen of this Indictment after having been convicted for the manufacture, delivery and possession with intent to deliver a controlled substance on or about June 4, 2000, in Municipal Court of Philadelphia County, Pennsylvania, Docket No. MC 9908-3329.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney